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# University of Baltimore SBA Places First Nationally As "Most Outstanding Student Bar Association"

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**Forum:** Is there a need for more laws relating to crime, or do you contend the laws we have presently are just not stringently enough applied?

**Beall:** Perhaps the laws are not stringently enough applied; I am led to believe that perhaps we should have some mandatory sentences. I introduced a crime package last week, only applicable to federal law, in which I suggested that we ought to expand pre-trial detention so that the judge could detain people in non-capital cases as he can in capital cases at the present time. The only tool a judge has now is to impose an exorbitantly high bail requirement, which in itself is constitutionally questionable. Therefore, I think there should be another means for a judge to detain someone if he considers that person to pose a threat to an individual or to the community. I also proposed that we have specified penalties for specified crimes—minimum sentences for the crimes of burglary, robbery, racketeering, dope trafficking and murder. We would also add a year to the sentence of any of these crimes committed with a firearm. I also have called for reinstitution of the death penalty for treason, espionage and murder. A bifurcated system would be used whereby there would first be a trial for the determination of the guilt or innocence of the person, and then there would be a hearing to determine whether the death penalty should be imposed. There would have to be a list of aggravating and mitigating circumstances, so as to hopefully meet the guidelines which the Supreme Court has imposed.

**Forum:** So your bill would provide for some leeway in the case of crimes punishable by death, but no leeway with certain other crimes.

**Beall:** There would be some leeway with crimes punishable by death but there would be some mandatory minimum sentences with certain other crimes. In those crimes, the person would be eligible for parole, but mitigating circumstances would not entitle him to a suspended sentence.

## University of Baltimore SBA Places First Nationally As "Most Outstanding Student Bar Association"

by Byron L. Warnken

### "Law Day U.S.A." Program Awarded National Championship for Second Consecutive Year

The University of Baltimore School of Law has been named the recipient of two first place national awards at the annual convention of the American Bar Association, convened in Atlanta, Georgia, August 5-12, 1976.

A total of three awards were presented to the University of Baltimore at the awards banquet of the Law Student Division of the ABA. These honors recognized the University of Baltimore, in competition among the 163 ABA approved law schools, as: (1) the first place national winner as "Most Outstanding

Student Bar Association" among law schools with enrollment over 1,000 students, (2) the first place national winner, for the second consecutive year, for "Best Law Day U.S.A. Program" among law schools with over 1,000 students, and (3) the first place circuit winner, for the third consecutive year, for "Best Law Day U.S.A. Program" among all law schools in Maryland, Pennsylvania, New Jersey, and Delaware.

Accepting the awards on behalf of the law school were Paul G. Jemas, president of the day division of the Student Bar Association; Byron L. Warnken, president of the evening division of the SBA; Anthony R. Gallagher, 1976-77 ABA/Law Student Division representative and chairperson of the Law Day U.S.A. program; and John A. Currier, 1977-78 ABA/LSD representative.

### BEST SBA

The "Most Outstanding Student Bar Association" award was based upon a 120 page document, which outlined in detail the successes and failures of the twenty areas of activity within the SBA. These included, among others: participation in ABA/LSD activities, Law Day U.S.A. program, weekly public affairs radio broadcasts entitled "You and the Law", weekly speakers programs, orientation program, honor system (honor code, honor court, board of preliminary



Left to right: Byron L. Warnken, Paul G. Jemas, Anthony R. Gallagher.

review, and office of the prosecutor), hosting the 1976 regional client counseling competition, initiation and implementation of separate law school graduation, tri-weekly publication of the *Law Students' Newsletter*, semi-annual course and instructor evaluation, institution of moot court board, annual SBA awards banquet, coordination of merchant discounts, and an SBA basketball league.

#### **LAW DAY PROGRAM**

The first place national and circuit awards for "Best Law Day U.S.A. Program" were based upon a thirty minute television broadcast entitled "The Impact of Taxation: 200 Years Since the Tea Party". In keeping with the national Law Day U.S.A. theme of "200 Years of Liberty and Law", the television panel discussion examined both the legal and historical aspects of property taxation in Maryland. The entire program was formulated by the ten member Law Day committee, under the direction of chairperson Tony Gallagher (who also directed last year's national winning program).

The committee began by researching the legal, statutory, and historical aspects of taxation within Maryland, which led to the selection of four areas of current interest: (1) tax revenue (other than personal income tax), (2) property owners' burden for deficient tax revenue, (3) the scheme and review of exemptions, and (4) the shift of the tax burden from income-producing corporation property to the homeowner. Based upon the research, questions were developed in each area, as well as retorts to probable answers.

With the assistance of Assistant Dean William I. Weston, Law Day chairperson of the Bar Association of Baltimore City and the SBA faculty adviser, the committee obtained two excellent panelists. The Honorable Louis L. Goldstein, Comptroller of the State of Maryland and a recognized authority on the history of the Free State, represented the state government position, while Jeffrey B. Smith, Esq., President of the Bar Association of Baltimore City, spoke from a community-oriented point of view.

The program was structured to emphasize the historical nexus between

contemporary tax problems and the early conceptualizations of taxation. Since taxation was a major factor in the American Revolution, this dual approach was the most effective means of furthering the national Law Day theme, while maintaining the individual character of the discussion. The program was divided into two interrelated parts—historical "spots" and question and discussion. The historical portions were interspersed throughout the program to serve as foundation for the panel discussion and acquaint the viewing audience with the substantive background of a particular topic. The "spots" covered (1) the historical and constitutional basis for taxation and exemptions as described in the Maryland Declaration of Rights, (2) the use and function of tax revenue, (3) the impact, scheme, and review of exemptions, and (4) the "myth" of corporate loopholes in the tax system. These presentations were made by students Joseph Cassily, Jack Elsby, Jack Kiely, Robert Goldberg, and Victoria Tyler, with appropriate introduction and continuity provided by student moderator Donn Weinberg.

Production of the broadcast was a cooperative effort of the Law Day committee and the Community Affairs Director of WBAL Television, Sidney King. The video-taping was accomplished under the supervision of WBAL's Technical Director Lorna Adolph. Publicity was provided by WBAL through promotional spots during the week prior to the program's showing. As the result of a press release issued by the Law Day committee, local newspapers also publicized the presentation in their respective television guide sections. Thanks to the donation of television time and technical assistance, the cost of the project was practically nil.

#### **ABA CONVENTION**

In addition to the awards earned, the University of Baltimore made significant contribution during the ABA convention to the Law Student Division and its relationship to the ABA. Tony Gallagher, in addition to his position as ABA/LSD representative, has served since March as Lieutenant Governor of the Third Circuit (the twelve law schools in Maryland, Delaware, Pennsylvania, and New

Jersey). In this capacity, he helped organize the circuit caucus and plan the fall circuit round-table meeting, scheduled for Rutgers School of Law—Camden on November 6. Additionally, Tony is one of the forty-two LSD liaisons to the ABA.

Byron Warnken, attending the convention as an SBA president, served as ad hoc co-chairperson of the national SBA president' caucus. In this capacity, he helped publish a handbook for SBA presidents, exchanging information on strengths and weaknesses, this was based upon the University of Baltimore's entry in the "Most Outstanding Student Bar Association" contest. A resolution was introduced and passed seeking \$1,000 from the Law School Division for the publication of an SBA presidents' "how to" manual, covering ideas, programs, projects, and means of funding, as experienced by all 163 law schools.

This year the ABA will decide whether to give the University of Baltimore School of Law full accreditation or merely continue it on provisional status. At the same time, the Maryland General Assembly will decide whether to appropriate the necessary funds for the much needed separate law school building and facilities. Both the ABA and the Maryland legislators cannot help but realize that the University of Baltimore School of Law is an exciting school on the move, where the only constant is positive change and where excellence is the norm. As *The Baltimore News-American* stated in a recent editorial entitled "Significant Recognition": "The University of Baltimore School of Law has largely been overshadowed by its counterpart, the University of Maryland Law School. Now, however, the University of Baltimore school has achieved high distinction. . . . These awards represent significant recognition that the University of Baltimore School of Law has achieved first-rank status among its peers."